

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Public Works	(2) MEETING DATE 1/26/2016	(3) CONTACT/PHONE Phil Acosta, Right of Way Agent (805) 781-5290	
(4) SUBJECT Submittal of a resolution vacating a portion of Front Street south of Nipomo Street and the portion of the alley way in Block 55 (paper street) by Summary Vacation, and finding that the project is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA), in the unincorporated community of Oceano. District 4.			
(5) RECOMMENDED ACTION It is recommended that the Board: 1. Adopt the attached resolution vacating the described portion of Front Street and the portion of the alley way in Block 55 in the unincorporated community of Oceano, by Summary Vacation, as it has been determined to be unnecessary for present or prospective use; and 2. Find that the project is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA)			
(6) FUNDING SOURCE(S) Reimbursement Agreement	(7) CURRENT YEAR FINANCIAL IMPACT \$1,000.00	(8) ANNUAL FINANCIAL IMPACT N/A	(9) BUDGETED? N/A
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ____) <input type="checkbox"/> Board Business (Time Est. ____)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date: _____	
(17) ADMINISTRATIVE OFFICE REVIEW David E. Grim			
(18) SUPERVISOR DISTRICT(S) District 4			

Reference: 16JAN26-C-7

County of San Luis Obispo



TO: Board of Supervisors

FROM: Public Works
Phil Acosta, Right of Way Agent

VIA: Dave Flynn, Deputy Director of Public Works

DATE: 1/26/2016

SUBJECT: Submittal of a resolution vacating a portion of Front Street south of Nipomo Street and the portion of the alley way in Block 55 (paper street) by Summary Vacation, and finding that the project is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA), in the unincorporated community of Oceano. District 4.

RECOMMENDATION

It is recommended that the Board:

1. Adopt the attached resolution vacating the described portion of Front Street and the portion of the alley way in Block 55 in the unincorporated community of Oceano, by Summary Vacation, as it has been determined to be unnecessary for present or prospective use; and
2. Find that the project is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA).

DISCUSSION

The described portion of Front Street and related alley way is an unimproved right of way established under a map recorded in 1899. The property owners adjoining the proposed vacation initiated the request in order to clarify real property rights and future building requirements to their property. It has been determined that the portion of Front Street, south of Nipomo Avenue and the alley way in Block 55 have never been improved as roadways nor entered into the County Maintained Road System. Furthermore, the rights of ways are not required for future trail use, implementation of the Oceano Community Plan or access to adjoining parcels. Public Works staff recommends this vacation as the area is unnecessary for present or prospective use.

Attachment "A" of the resolution provides the complete legal description of the portion of Front Street and the portion of the alley way in Block 55 being abandoned.

Your approval of the recommended action will extinguish the described interests and the implied rights that may have been created by the mapping of the described streets. No public funds have been used in maintaining said streets, and no public access has occurred over said property in over five years. The Streets and Highways code allows for Summary Vacation under these circumstances.

OTHER AGENCY INVOLVEMENT/IMPACT

County Counsel has reviewed and approved the attached resolution as to legal form and effect.

A General Plan Conformity Report pertaining to the vacation was received and filed by the Planning Commission at its regular meeting of December 10, 2015. Oceano Advisory Council has been notified of this pending action.

The County Environmental Coordinator has reviewed the project and determined that it is exempt from the requirements of the California Environmental Quality Act.

FINANCIAL CONSIDERATIONS

In the event the Vacation is approved, the cloud of title will be removed from the parent properties. Therefore, no direct financial impact is expected to result from the recommended Board action.

The applicants have entered into a reimbursement agreement with the department to cover staff costs related to the processing of their request. The amount reimbursed to date is approximately \$1,000.

RESULTS

The recommended action will clarify real property rights by eliminating unnecessary encumbrances, leading to a better governed community.

ATTACHMENTS

1. Vicinity Map
2. Notice of Exemption
3. Resolution Vacating a Portion of Front Street, a Paper Street, and the Portion of Alley Way in Block 55 by summary Vacations in the Unincorporated Community of Oceano Supervisorial District No. 4

File: R/W file 405R970156 (Front St Vac – Pismo Coast Village, etal)

Reference: 16JAN26-C-7

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